

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

***Return Date: October 5, 2017***

***Time: 9:30 a.m.***

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In re:

Chapter 13  
Case No.: 17-74413-736

VANESSA PUGH  
AKA VANESSA D. PUGH,  
AKA VANESSA PUGH-REEFER

Debtor(s)

**NOTICE OF MOTION**

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SIRS / MADAMS

**PLEASE TAKE NOTICE**, that MICHAEL J. MACCO, Chapter 13 Trustee of the above captioned estate, will move before the Honorable Robert E. Grossman, United States Bankruptcy Judge on the 5th day of OCTOBER, 2017 at 9:30 a.m., at the United States Bankruptcy Court located at the Alfonse M. D'Amato U.S. Courthouse, 290 Federal Plaza – Courtroom 860, Central Islip, New York 11722, for an Order pursuant to 11 U.S.C. §§521 & 1307(c), dismissing this case by reason of the debtor(s)' failure to provide and/or file documents, and for such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE**, that answering papers, if any, shall be filed with the Court and served upon the undersigned no later than three (3) days prior to the return date of this motion.

Dated: Islandia, New York  
September 18, 2017

Yours, etc.

MICHAEL J. MACCO  
Chapter 13 Trustee  
2950 Express Drive South, Suite 109  
Islandia, New York 11749  
(631) 549-7900

*To: Office of the United States Trustee  
VANESSA PUGH, Debtor(s)  
RONALD D. WEISS, ESQ. Attorney for Debtor(s)  
All Interested Parties and Creditors*

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re:

**tmm1634**  
Chapter 13  
Case No.: 17-74413-736

VANESSA PUGH  
AKA VANESSA D. PUGH,  
AKA VANESSA PUGH-REEFER

Debtor(s)

**APPLICATION**

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TO THE HONORABLE ROBERT E. GROSSMAN, UNITED STATES BANKRUPTCY JUDGE:

MICHAEL J. MACCO, Chapter 13 Trustee in the above captioned estate, respectfully represents as follows:

1. The debtor(s) filed a petition under the provisions of 11 U.S.C. Chapter 13 on July 20, 2017, and thereafter MICHAEL J. MACCO was duly appointed and has qualified as Trustee.
2. As of the date of this motion, the debtor(s) has failed to provide the Trustee with written appraisal for property; Amended Chapter 13 Plan; Amended Schedules; utility bills for the month of August including gas/oil, and electric; Tax Transcripts for 2013-2016; Proof post-petition car payments have been made; Amended Means Test; bank statements for all accounts from January 1, 2017 - July 31, 2017 including Citibank (3723) from January 1, 2017 – July 31, 2017 and Capitol One; Withdrawal from Objection to Confirmation; Motion for second mortgage; and details of car loan including current balance.
3. This is a material default and is prejudicial to the rights of the creditors of the debtor(s).

**WHEREFORE**, the Trustee prays for an Order pursuant to the provisions of 11 U.S.C. §§521 & 1307(c), dismissing this case, and for such other and further relief as this Court deems just and proper.

Dated: Islandia, New York  
September 18, 2017

*/s/ Michael J. Macco*

Michael J. Macco, Chapter 13 Trustee  
2950 Express Drive, Suite 109  
Islandia, NY 11749  
(631) 549-7900

STATE OF NEW YORK )  
COUNTY OF SUFFOLK ) ss.:

STEPHANIE TURNER, being duly sworn, deposes and says: deponent is not a party to this action, is over 18 years of age, and resides in Suffolk County, New York.

On September 18, 2017 deponent served the within:

**NOTICE OF MOTION AND APPLICATION**

upon the following parties, at the addresses designated by said parties for that purpose, by depositing a true copy of same, enclosed in a post-paid, properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York:

*Vanessa Pugh  
55 Tell Avenue  
Deer Park, NY 11729  
Debtor(s)*

*Wells Fargo Bank, N.A.  
c/o Aldridge Pite, LLP  
40 Marcus Drive, Suite 200  
Melville, New York 11747*

and upon the following parties, by the e-mail address designated by said parties for that purpose;

*Office of the United States Trustee  
Alfonse M. D'Amato U.S. Courthouse  
560 Federal Plaza  
Central Islip, NY 11722  
USTPRegion02.LI.ECF@usdoj.gov*

*Ronald D. Weiss, Esq.  
weiss@ny-bankruptcy.com  
Attorney for Debtor(s)*

*/s/ Stephanie Turner*  
STEPHANIE TURNER

Sworn to before me this  
18<sup>th</sup> day of SEPTEMBER, 2017

*/s/ Loni Bragin*  
NOTARY PUBLIC  
Loni Bragin  
Notary Public, State of New York  
No. 01BR6172194  
Qualified in Suffolk County  
Commission Expires August 6, 2019